

### **REMARKS**

These remarks and the accompanying amendments are responsive to the Office Action dated November 7, 2006 (hereinafter referred to as the "Office Action"). At the time of the last examination, Claims 5-15 were pending, of which Claim(s) 5, 9, 13, 14 and 15 are independent. There is but a single rejection active in this patent application. Specifically, the Office Action rejected Claims 5-15 under 35 U.S.C. 103(a) as being unpatentable over United States patent number 6,473,447 issued to Strich et al. (the patent hereinafter referred to as "Strich") in view of United States patent number 5,745,485 issued to Abramson (the patent hereinafter referred to as "Abramson"). All of the claims are amended herein. Reconsideration of this rejection is respectfully requested in light of the following remarks.

Each of the Claims 5, 13 and 15 recite spreading means for (or a spreading step of) spreading each of an inphase component and a quadrature component of a signal to be transmitted by using a short code and a long code. Here, the inphase component and the quadrature component have been separated from each other before the spreading.

In Strich, as it can be understood from Figure 7, a signal is separated into an inphase component and a quadrature component after it passes through the exclusive-OR gate 310 which corresponds to spreading by a short code. After that, the inphase component and the quadrature component pass through the exclusive-OR gates 314 and 316 which correspond to spreading by a long code, respectively. That is, the signal is separated into the inphase component and the quadrature component at the timing before the spreading by the long code but after the spreading by the short code.

In contrast, as explained above, in claims 5, 13 and 15, the inphase component and the quadrature component have been separated from each other before the spreading by both the

short code and the long code. Also, please see Figure 23 and its explanation in the specification of the present application in which the transmission data has been separated into the data to be transmitted in the inphase component and the data to be transmitted in the quadrature component.

Thus, Strich does not disclose at least this recited feature of Claims 5, 13 and 15 that the inphase component and the quadrature component have been separated from each other before the spreading.

Further, as for Abramson, since Abramson does not employ double spreading (spreading a signal by a short code and a long code), it is impossible to discuss the above-mentioned timing at which the signal is separated into the inphase component and the quadrature component.

Therefore, even if Strich and Abramson are combined<sup>1</sup>, it cannot be said that claims 5, 13 and 15 are unpatentable over Strich and Abramson, for at least the reason that this combination would not teach or suggest that the inphase component and the quadrature component have been separated from each other before the spreading.

As for Claims 9, 14 and further with respect to Claim 15 (the receiving side), these claims recite despreading means for (or a despreading step of) despreading each of an inphase component and a quadrature component of the received signal by using a short code and a long code. Here, the inphase component and the quadrature component have been separated from each other after the despreading.

In Strich, since the inphase component and the quadrature component have not been separated from each other before the spreading by the short code at the transmitting side, it is

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<sup>1</sup> Since even the combination of Strich and Abramson do not teach or suggest all of the recited features of any of the independent claims, it is not necessary for a full and complete response to attack the motivation to combine these references. Accordingly, the lack of arguments against combining these references in this response should not be construed as acquiescing that the combination is appropriate under the law.

conceivable that the inphase component and the quadrature component have not been separated from each other after the spreading by the short code at the receiving side. That is, it is conceivable that the inphase component and the quadrature component are merged into a signal before the despreading by the short code at the receiving side.

Thus, Strich does not disclose a feature of Claims 9, 14 and 15 that the inphase component and the quadrature component have been separated from each other after the despreading.

Further, as for Abramson, since Abramson does not employ double despreading (despreading a signal by a short code and a long code), it is impossible to discuss the above-mentioned timing at which the inphase component and the quadrature component are merged into a signal.

Therefore, it cannot be said that Claims 9, 14 and 15 are unpatentable over Strich and Abramson (either singly or in combination), at least for the reason that even the combination would not teach or suggest that the inphase component and the quadrature component have been separated from each other after the despreading.

Accordingly, each of the independent Claims 5, 9, 13, 14 and 15 are not unpatentable over the cited references, either singly or in combination. Therefore, all of the pending claims are not unpatentable over the cited references. Therefore, the rejection should be withdrawn.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 7<sup>th</sup> day of February, 2007.

Respectfully submitted,

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